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Office of the Secretary

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

In re Application of)
CAPROCK EDUCATIONAL BROADCASTING) File No. BNPED-880328MM
FOUNDATION) KAMY
For Modification of)
Construction Permit)
Lubbock, Texas)
To: The Chief, Mass Media Bureau

REQUEST FOR EXTENSION OF TIME

Williams Broadcast Group (Williams), licensee of Station KJAK(FM), at Slaton, Texas, by its attorneys , hereby requests a 4 day extension of time in which to submit a reply to the Opposition to Petition to Deny (Opposition), filed by Caprock Educational Broadcasting Foundation (Caprock), permittee of FM broadcast station KAMY, on May 9, 1989.

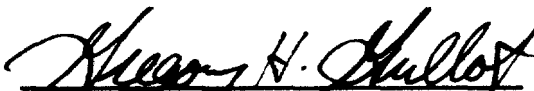
On April 25, 1989, Williams filed a Petition to Deny Caprock's above-captioned application for modification of the construction permit of KAMY(FM), on the grounds that, *inter alia*, Caprock violated various sections of the Communications Act and the Commission's Rules by constructing, prematurely, and without authorization a new FM station on the tower of KJTV(TV), Channel 13 at Lubbock, Texas, and commencing full-

scale broadcast operations from same in total disregard for the Commission's processes. Caprock's Opposition, filed May 9, 1989, argues, *inter alia*, that Caprock's violations were the result of "innocent" mistakes. Williams' reply to Caprock's Opposition is due at the Commission on May 22, 1989.

Williams' instant extension request is the result of new information regarding Caprock and its dominant principal, Kent Atkins, discovered in the late afternoon on Friday, May 19, 1989. Based upon this information, Williams has determined that Caprock principal Atkins has made a habit of constructing and operating such unauthorized facilities in various locations throughout the Southern United States under a variety of names, undermining Caprock's assumed posture of innocence in this proceeding. Moreover, Williams has discovered additional violations committed by Mr. Atkins in connection with his various stations, which, when viewed together with the situation in Lubbock, Texas, create a compelling case for denying Caprock's above-captioned application. However, Williams' evidence regarding these matters, including photographs of unauthorized construction and cassette tapes of illegal broadcasts, did not reach counsel until this morning, the due date for filing Williams' reply pleading. Additional evidence is to be forwarded to counsel later this week.

Accordingly, Williams respectfully requests a 4 day extension, until Friday, May 26, 1989, for the filing of its reply to Caprock's Opposition, to enable counsel to evaluate and analyze the additional evidence which has surfaced regarding this matter.

RESPECTFULLY SUBMITTED:


John H. Midlen, Jr.
Gregory H. Guillot

JOHN H. MIDLEN, JR., CHARTERED
P.O. Box 5662
Washington, D.C. 20016-5662

May 22, 1989

CERTIFICATE OF SERVICE

I, Jean Atkinson, do hereby certify that I have caused to be sent via First Class U.S. Mail (postage prepaid) today, May 22, 1989, a copy of the foregoing REQUEST FOR EXTENSION OF TIME, to the following:

James L. Oyster
Law Offices of James L. Oyster
8315 Tobin Road